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2 Federal Defender  
3 RACHELLE BARBOUR, Bar #185395  
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5 Attorney for Defendant  
JOSE JUAN ORTEGA-FIGUEROA  
6

7 IN THE UNITED STATES DISTRICT COURT  
8 FOR THE EASTERN DISTRICT OF CALIFORNIA  
9

10 UNITED STATES OF AMERICA, ) Case No. CR.S-05-170-MCE  
11 Plaintiff, )  
12 v. ) **STIPULATION AND ORDER**  
13 JOSE JUAN ORTEGA-FIGUEROA, ) DATE: June 7, 2005  
14 Defendant. ) TIME: 8:30 a.m.  
15 ) JUDGE: Hon. Morrison C. England, Jr.  
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17 It is hereby stipulated and agreed to between the United States of  
18 America through JASON HITT, Assistant U.S. Attorney, and defendant,  
19 JOSE JUAN ORTEGA-FIGUEROA, by and though his counsel, RACHELLE BARBOUR,  
20 Assistant Federal Defender, that the status conference of May 24, 2005  
21 at 8:30 a.m. be vacated and that a further status conference be set for  
22 June 7, 2005 at 8:30 a.m.

23 This continuance is being requested because the parties are  
24 waiting for the distribution of a pre-plea presentence report to enable  
25 the prosecution to provide a plea agreement pursuant to this district's  
26 fast-track policy. Once the report and plea agreement are received,  
27 defense counsel will need to discuss both of them with Mr. Ortega-  
28 Figueira and provide them to the Court.

1 Speedy trial time is to be excluded from the date of this order  
2 through the date of the status conference set for June 7, 2005,  
3 pursuant to 18 U.S.C. §§ 3161 (h) (8) (B) (iv) [reasonable time to  
4 prepare] (Local Code T4).

5 DATED: May 23, 2005. Respectfully submitted,

6 QUIN DENVER  
7 Federal Defender

8 /s/ Rachelle Barbour

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9 RACHELLE BARBOUR  
10 Assistant Federal Defender  
11 Attorney for Defendant  
12 JOSE JUAN ORTEGA-FIGUEROA

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15 McGREGOR SCOTT  
16 United States Attorney

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18 DATED: May 23, 2005.

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19 /s/ Rachelle Barbour for Jason Hitt  
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21 JASON HITT  
22 Assistant U.S. Attorney

23 **O R D E R**

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28 **IT IS SO ORDERED.**

DATED: May 24, 2005.

  
21 MORRISON C. ENGLAND, JR  
22  
23 UNITED STATES DISTRICT JUDGE